APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,711	12/18/2000	Alejandro Wiechers	10001309-1	9476

7590   08/29/2007

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
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EXAMINER
LETT, THOMAS J

ART UNIT	PAPER NUMBER
2625	

MAIL DATE	DELIVERY MODE
08/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<table>
<tr><td rowspan="2">Advisory Action
Before the Filing of an Appeal Brief</td><td>Application No.
09/745,711</td><td>Applicant(s)
WIECHERS, ALEJANDRO</td><td></td></tr>
<tr><td>Examiner
Thomas J. Lett</td><td>Art Unit
2625</td><td></td></tr>
</table>

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>19 July 2007</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

        Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ They raise the issue of new matter (see NOTE below);

    (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: _____.

    Claim(s) objected to: _____.

    Claim(s) rejected: _____.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

**DAVID MOORE
SUPERVISORY PATENT EXAMINER
~~TECHNOLOGY CENTER 2600~~**

Continuation of 11. does NOT place the application in condition for allowance because: the prior art of Lobiondo et al clearly anticipates the claims. Applicant argues that not every feature of the claimed invention is represented in the Lobiondo et al reference. Lobiondo teaches a terminal workstation 30 where information relating to print jobs can be input in order to be printed on a network. This clearly reads on a network browser being used to send a print command or user parameters. Applicant argues that Lobiondo's user interface is merely a computer monitor. On the contrary, Lobiondo states that user interface 40 is an input-output device shown in figure 2 (see col. 3, lines 29-32). The input-output device is just a part of a workstation which also reads on a network browser being used to send a print command or user parameters, see col. 3, lines 32-36. A network browser allows one to access a generic computer network and lets users browse for services such as file servers and printers. A web browser lets users access an HTML-enabled network.

Secondly, Applicant argues that Lobiondo does not teach that the user parameters include "a printer location parameter and an expected print time parameter that reflects the time in which a printer is expected to complete the user's print job". On the contrary, Lobiondo clearly teaches at col. 4, lines 43-46, that the user enters a time parameter and any other criteria associated with a print job. Lobiondo clearly states at col. 3, lines 51-56, that a time desired as well as a location where copies are to be sent are criteria that can be entered. This clearly reads on the claim. Applicant argues that Lobiondo teaches away from timing criteria because the user is not required to enter time constraints. Examiner responds that that is an alternative embodiment and is just an alternative offered to a user of the Lobiondo print system.

Thirdly, Applicant argues that Lobiondo does not teach "providing information as to the status of the selected printer and a real-time countdown as to when a print job can be completed. The availability clearly reads on the status. Lobiondo teaches that prior art is limited in terms of real-time scheduling. Lobiondo improves upon this deficiency by using a scheduler which can inform the user of printer availability (see at least col. 4, lines 50-52) and can actively allocate a job to a printer or printers and inform the user when completion is expected. Steps 420 through 460 are repeated which would satisfy a real-time countdown since the user is dynamically informed of completion time.